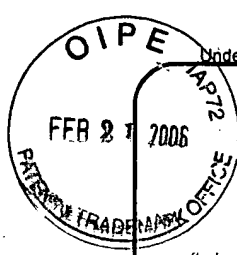


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# TRANSMITTAL FORM

(to be used for all correspondence after initial filing)

Total Number of Pages in This Submission

Application Number	10/765,430
Filing Date	January 26, 2004
First Named Inventor	Guillermo J. Tearney
Art Unit	3737
Examiner Name	To be assigned
Attorney Docket Number	036140/US - 475387-00020

## ENCLOSURES (Check all that apply)

<input type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input type="checkbox"/> Amendment/Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input checked="" type="checkbox"/> Information Disclosure Statement  <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Reply to Missing Parts/ Incomplete Application <input type="checkbox"/> Reply to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation <input type="checkbox"/> Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____ <input type="checkbox"/> Landscape Table on CD	<input type="checkbox"/> After Allowance Communication to TC <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below): PTO-1449 form with 31 references and Return Receipt Postcard
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Remarks

## SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm Name	Dorsey & Whitney, L.L.P.		
Signature			
Printed name	Gary Abelev, Esq.		
Date	February 17, 2006	Reg. No.	Reg. No. 40,479

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036140/US - 475387-00020 PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Inventor(s) : Guillermo J. Tearney et al.

Serial No. : 10/765,430

Filed : January 26, 2004

Entitled : SYSTEM AND METHOD FOR IDENTIFYING TISSUE USING  
LOW-COHERENCE INTERFEROMETRY

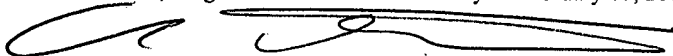
Group Art Unit : 3737

Examiner : To be assigned

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Dear Sir:

Pursuant to 37 C.F.R. §§ 1.56 and 1.97(b), applicants bring to the attention of the Examiner the documents listed on the attached Form PTO 1449, and respectfully request that the listed documents be considered by the Examiner and made of record in the above-captioned application. Copies of the United States patent references listed on the Form PTO-1449 are not enclosed, but the PCT/foreign/non-patent references are enclosed.

This submission does not represent that a search has been made or that no better art exists and does not constitute an admission that the listed documents are material or constitute "prior art." If the Examiner applies the documents as prior art against any claim in the application and applicants determine that the cited documents do not constitute "prior art" under

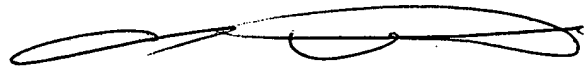
United States law, applicants reserve the right to present to the Office the relevant facts and law regarding the appropriate status of the documents.

Applicants further reserve the right to take appropriate action to establish the patentability of the disclosed invention over the listed documents, should the documents be applied against the claims of the present application.

This submission is being filed before any action by the U.S. Patent and Trademark Office on the merits. Therefore, applicants do not believe that any fee is due in connection with the submission of this paper. However, if any fee is due, or if any overpayment has been made, the Commissioner is authorized to charge any such fee or credit any overpayment, to our Deposit Account No. 50-2054.

Respectfully submitted,

**DORSEY & WHITNEY, LLP**



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Gary Abelev  
PTO Reg. No. 40,479  
Attorneys for Applicants  
(212) 415-9371

4848-5070-3104\1

Form PTO-1449 U.S. Department of Commerce  
(REV. 2-82) Patent and Trademark Office

Atty. Docket No.  
036140/US - 475387-00020

Serial No.  
10/765,430

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BY APPLICANT**

(Use several sheets if necessary)

Applicant(s)  
Guillermo J. Tearney

Filing Date  
January 26, 2004

Group  
3737

**U.S. PATENT DOCUMENTS**

*Exam. Init.	Document No.	Date	Name	Class	Subclass	Filing Date if Appropriate
	5 4 9 1 5 2 4	February 13, 1996	Hellmuth et al.			
	6 6 8 0 7 8 0	January 20, 2004	Fee			
2003	0 1 3 5 1 0 1	July 17, 2003	Webler			
	6 9 8 0 2 9 9	December 27, 2005	de Boer			
	6 1 6 6 3 7 3	December 26, 2000	Mao			
	6 4 6 9 8 4 6	October 22, 2002	Ebizuka et al.			
	5 6 2 3 3 3 6	April 22, 1997	Raab et al.			
	5 2 6 2 6 4 4	November 16, 1993	Maguire			
	5 1 2 7 7 3 0	July 7, 1992	Brelje et al.			
	5 2 4 8 8 7 6	September 28, 1993	Kerstens et al.			
	5 3 0 4 8 1 0	April 19, 1994	Amos			
	5 4 5 0 2 0 3	September 12, 1995	Penkethman			
	5 4 5 9 3 2 5	October 17, 1995	Hueton et al.			
	5 5 2 6 3 3 8	June 11, 1996	Hasman et al.			
	5 6 0 0 4 8 6	February 4, 1997	Gal et al.			
	5 6 9 8 3 9 7	December 16, 1997	Zarling et al.			
	5 7 8 5 6 5 1	July 28, 1998	Kuhn et al.			
	5 8 8 7 0 0 9	March 23, 1999	Mandella et al.			
	5 0 4 5 9 3 6	September 3, 1991	Lobb et al.			
	5 2 9 1 8 8 5	March 8, 1994	Taniji et al.			
	5 2 9 3 8 7 3	March 15, 1994	Fang			
	5 0 6 5 3 3 1	November 1991	Vachon et al.			
2001	0 0 4 7 1 3 7	November 2001	Moreno et al.			
2002	0 0 1 6 5 3 3	February 7, 2002	Marchitto et al.			
	6 8 1 6 7 4 3	November 9, 2004	Moreno et al.			
	6 3 2 4 4 1 9	November 27, 2001	Guzelsu et al.			

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		6	5	6	4	0	8	9	May 13, 2003	Izatt et al.			
		6	1	9	8	9	5	6	March 6, 2001	Dunne, Shane			
		5	7	3	5	2	7	6	April 7, 1998	Lemelson, Jerome			

**FOREIGN PATENT DOCUMENT**

		Document No.							Date	Country	Class	SubClass	Translator Yes No	
	0	4	1	0	5	5	9	8	December 9, 2004	WIPO				

**OTHER DOCUMENTS (including Author, Title Date, Pertinent Pages, Etc.)**

			Marc Nikles et al., "Brillouin gain spectrum characterization in single-mode optical fibers", <u>Journal of Lightwave Technology</u> 1997, 15 (10): 1842-1851.
			Tsuyoshi Sonehara et al., "Forced Brillouin Spectroscopy Using Frequency-Tunable Continuous-Wave Lasers", <u>Physical Review Letters</u> 1995, 75 (23): 4234-4237.
			Hajime Tanaka et al., "New Method of Superheterodyne Light Beating Spectroscopy for Brillouin-Scattering Using Frequency-Tunable Lasers", <u>Physical Review Letters</u> 1995, 74 (9): 1609-1612.
			Webb RH et al. "Confocal Scanning Laser Ophthalmoscope", <u>Applied Optics</u> 1987, 26 (8): 1492-1499.
			Andreas Zumbusch et al. "Three-dimensional vibrational imaging by coherent anti-Stokes Raman scattering", <u>Physical Review Letters</u> 1999, 82 (20): 4142-4145.
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